

REMARKS

Initially, Applicants would like to thank the Examiner for acknowledging Applicants' claim for foreign priority under 35 U.S.C. §119, as well as receipt of each of the documents upon which the claim for foreign priority is based. Applicants would also like to thank the Examiner for indicating acceptance of the drawings filed with the present application on July 30, 2003. Applicants would further like to thank the Examiner for acknowledging consideration of each of the references listed by Applicants on PTO-1449 forms which accompanied the Information Disclosure Statements submitted on October 31, 2005, April 29, 2004 and October 30, 2003.

In the outstanding Official Action, claims 1-3 were objected-to for informalities. Claims 1, 5, 13 and 16 were rejected under 35 U.S.C. §102(b) over YOKOTA et al. (EP 1,081,699). Claims 2 and 14-15 were rejected under 35 U.S.C. §103(a) over YOKOTA in view of BIRRELL et al. (U.S. Patent No. 6,332,175). Claims 3-4, 6 and 9 were rejected under 35 U.S.C. §103(a) over YOKOTA in view of SHIMADA (U.S. Patent Application Publication No. 2002/0154900). Claims 7-8 were rejected under 35 U.S.C. §103(a) over YOKOTA in view of SHIMADA (U.S. Patent Application Publication No. 2002/0154900), and further in view of BIRRELL et al. (U.S. Patent No. 6,332,175). Claims 10-12 and 17-22 were rejected under 35 U.S.C. §103(a) over YOKOTA in view of SHIMADA (U.S. Patent Application Publication No. 2002/0154900).

Upon entry of the present amendment, claims 1-22 will have been cancelled without prejudice to or disclaimer of the subject matter recited therein. Claims 23-44 will have been added for consideration by the Examiner. In this regard, claims 23-44 recite

subject matter generally similar to the subject matter recited in claims 1-22. However, Applicants have revised claims 23-44 to eliminate informalities, including those which served as the basis for the objections to claims 1-3, as well as to ensure that the features of the claims are not misinterpreted as means-plus-function or steps limitations. In view of the herein-contained amendments and remarks, Applicants respectfully request reconsideration and withdrawal of each of the outstanding objections and rejections.

Applicants submit that the herein contained amendments should not be considered an indication of Applicants' acquiescence as to the propriety of the outstanding rejections. Rather, Applicants are amending the claims in order to advance prosecution of the present application and obtain early allowance of claims in the present application.

Applicants traverse the objections to the Specification and claims 1-3. In this regard, claims 23-25, which recite subject matter generally similar to claims 1-3, have been revised to eliminate each of the informalities noted in the outstanding Official Action. Applicants have also revised the Abstract and the Specification to correct the spelling of the term "command" where it was misspelled as "commend". In view of the herein-contained amendments to the Abstract, the Specification and the claims, Applicants respectfully request reconsideration and withdrawal of the outstanding objections.

Applicants traverse each of the outstanding rejections. In this regard, each of independent claims 1, 3 and 5 was rejected under 35 U.S.C. §102 over YOKOTA or

under 35 U.S.C. §103 over YOKOTA in view of SHIMADA. However, YOKOTA is directed to a drive apparatus 20 that records and reproduces data to and from a stick-shaped memory 1. The "stick-shaped memory 1 is inserted into a detachable insertion mechanism 22 formed on the top of the apparatus" (see paragraph [0033]). However, the drive apparatus 20 and the stick-shaped memory 1 are not the "media processing device" and "external storage device" recited in new claim 23.

Rather, YOKOTA does not disclose or suggest, in the claimed combination, "a storage device access module that accesses and provides access to an external storage device through a transmission medium, and that provides power to the external storage device during an activated mode but does not provide power to the external storage device during an inactivated mode" (emphasis added) as recited in new claim 23. YOKOTA additionally does not disclose or suggest the related and/or similar features recited in, e.g., new claims 24, 25 and 27. Accordingly, Applicants submit that each of the claims now pending is not disclosed, suggested or rendered obvious by YOKOTA.

Applicants further submit that there is no proper motivation to modify YOKOTA to obtain the above-noted features recited in Applicants' claims. In this regard, and with respect to the outstanding rejection of claim 2, the Official Action asserts that it would be obvious to modify YOKOTA with the teachings of BIRRELL because "any module may be inactivated through similar means if determined to be measurably beneficial for the purpose of saving power and therefore battery life". Applicants submit that this is not a proper and specific motivation to modify YOKOTA. Rather, the proposed motivation to

modify YOKOTA is a generalized motivation that does not provide any benefit called-for or addressed in YOKOTA. In this regard, if the proposed motivation were taken as true, than it would be obvious to control the power supply to any external device merely by using the teachings of BIRRELL. Such a generalized motivation is not a proper basis to modify the teachings of YOKOTA. Accordingly, the only motivation to modify YOKOTA with the teachings of BIRRELL is the improper motivation of the Examiner to obtain Applicants' claims in hindsight.

Further, BIRRELL is directed to powering "ON" a hard disk 104 just long enough to copy data from the hard disk 104 to a RAM 108 (see col. 6, lines 5-42). However, the hard disk 104 is not shown to be external to the portable audio player 100 in BIRRELL. Accordingly, modification of YOKOTA with the teachings of BIRRELL would still not obtain the invention recited in Applicants' claims.

Accordingly, for at least the numerous reasons set forth above, Applicants submit that new claims 23, 25 and 27 are not disclosed, suggested or rendered obvious by the teachings of YOKOTA or the combination of YOKOTA and BIRRELL. Applicants further submit that each of claims 24, 26 and 28-44 are allowable at least for depending, directly or indirectly, from an allowable independent claim 23, 25 or 27, as well as for additional reasons related to their own recitations.

Accordingly, reconsideration and withdrawal of each of the outstanding objections and rejections, as well as an indication of the allowability of each of the claims now pending, is respectfully requested.

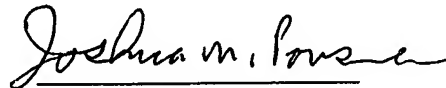
SUMMARY AND CONCLUSION

In view of the fact that none of the art of record, whether considered alone or in combination, discloses or suggests the present invention as now defined by the pending claims, and in further view of the above amendments and remarks, reconsideration of the outstanding Official Action and allowance of the present application are respectfully requested and are believed to be appropriate.

Any new claims which have been added in this amendment, and which have not been specifically noted as added to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully Submitted,
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